

REMARKS/ARGUMENTS

The office action of April 02, 2008 has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested. Claims 1-11 are canceled. Claims 12-25 remain in this application.

Rejection under 35 U.S.C. § 101

Claims 1-25 stand rejected under 35 USC 101 as being non-statutory subject matter. Claims 1-11 have been canceled. Claim 12 is directed to an object data receiving unit which uses imaging to evaluate a production plan or its operation in a virtual space. For example, the unit decides whether two different functional objects, e.g. two parts of a machine, can be matched, and if so, provides a virtual image of the combined parts. Hence the object data receiving unit clearly has utility. Withdrawal of this rejection is requested.

Rejections under 35 U.S.C. § 112

Claims 1-4, 6, 11, and 19 stand rejected under 35 USC 112, second paragraph. Claims 1-4, 6, and 11 have been canceled. Claim 19 has been amended.

Claim 25 has been objected to for being dependent on two claims. Claim 25 has been amended to recite the elements of claim 18 and now only depends from claim 12. Withdrawal of this rejection is requested.

Rejections under 35 U.S.C. § 102

Claims 1-25 stand rejected under 35 USC 102(e) as anticipated by Kinno et al. (US 6,337,700). In so far as this rejection applies to amended claim 12 and claims 13-25 dependent thereon, it is respectfully traversed.

In the claimed invention, the functional controlling data of an object can be changed because the functional control data defining the function of the object is independent from the image data defining the image of the object. That is, the functional control data, which makes a first object function, is provided by a second object matched with the first object.

In the present invention, the functional control data defining one object makes another object move or deform, or color or pattern thereof change. Thus it is possible to process that

when, for example, a cellular phone body object and a camera module object wherein the camera module object is matched with the cellular phone body object, the image of the cellular phone body object is changed. That is, a photographic image by a camera is shown on the display of the cellular phone body by the functional controlling data attached to the camera module object under the collateral condition that a relationship exists between the cellular phone body object and camera module object through the first and second name identifiers. When a different object is matched with the cellular phone body object, a different action corresponding to the different object occurs in the cellular phone body.

Kinoe relates to three-dimensional CAD system whereby a three-dimensional object arranged in a virtual space can be selected easily by a specified mouse operation. However, the three-dimensional object is processed as a stationary object. In Kinoe, the three-dimensional object is not moved in a virtual space based on functional controlling data nor is the color or pattern of the three-dimensional object changed.

The Office Action points out that Kinoe discloses "functional control data in column 11, lines 42-45 thereof." This position is respectfully traversed. Kinoe does not define the object definition data 203 in the drawings or description. Instead, in view of the description and Fig. 4 of the drawings, the "object definition data" is part of the "graphic definition data", which appears to define a three-dimensional shape or surface texture of the object. The "graphic definition data" is similar to the "image data" of the present invention, which is different from "functional control data" as discussed above.

Additionally, a "hierarchical definition data" shows an internal and external relation or structural tree (relation between a member and structural part of the member) of each three-dimensional object in the virtual space. Therefore, the "hierarchical definition data" is also different from "functional control data".

Kinoe does not teach each and every element of the instant claims as required under 35 USC 102. Withdrawal of this rejection is requested.

CONCLUSION

If any additional fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

All rejections having been addressed, applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,
BANNER & WITCOFF, LTD.

Dated: August 4, 2008

By:


Susan A. Wolfe
Registration No. 39,568

1100 13th Street, N.W., Suite 1200
Washington, D.C. 20005-4051
Tel: (202) 824-3000
Fax: (202) 824-3001

SAW:vjh